

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHAEL L. CAIRNS,

Plaintiff,

vs.

JAMES KOZEL,

Defendant.

**8:20CV162**

**MEMORANDUM  
AND ORDER**

Plaintiff has filed a Motion for Discovery (Filing 27) in which he requests the court to order a nonparty, Douglas County Corrections to produce certain items. This request will be denied. As explained in General Order No. 2020-01, no discovery may take place until the court enters a progression order, or the court enters an order permitting early discovery. See Filing 3, ¶ 18. Plaintiff has not demonstrated a need to conduct early discovery. Also, Plaintiff should familiarize himself with federal discovery procedures, and, in particular, the method by which a nonparty may be compelled to produce documents and tangible things or to permit an inspection. *See* Fed. R. Civ. P. 34(c) & 45.

To the extent Plaintiff's Motion for Discovery may be construed as a renewed request for appointment of counsel, this request will also be denied for the reasons previously stated. See Filing 25.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Discovery (Filing 27) is denied in all respects, without prejudice.

Dated this 2nd day of February, 2021.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge